

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

JANE DOE, Individually And In Her Official Capacity *
And All Others Known Or Unkown Past, Present And *
Future Students At MD UMES And Or Any Other MD *
HBCUs Of The University Of Maryland System Who *
Have Been, Currently And/Or Possible Victims Of *
Direct Race, Sex, Age, Gender And Other Acts Of *
Discrimination & Biases *
EMAIL: **Psychdotor101@Gmail.Com** *

JANE DOE A/K/A BERRI A. WELLS *
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Oxon Hill, Maryland 20745
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BERRI A. WELLS
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(301) 905-7160

Plaintiffs,

Civil Action No. _____

v.

STATE OF MARYLAND
Larry Hogan Governor
100 State Circle
Annapolis, Maryland 21401-1925

STATE OF MARYLAND
Maryland General Assembly/MD House Speaker – Hon.
Adrienne A. Jones, And All Other Members Known Or
Unknown,
90 State Circle
Annapolis, MD 21401-1925

UNIVERSITY OF MD COLLEGE PARK,
UNIVERSITY SYSTEM OF MARYLAND
Hon. Wallace Loh, President and/or Successor Darryll J.
Pines
1101 Main Administration Bldg,
College Park, MD 20742

UNIVERSITY OF MARYLAND-COLLEGE
PARK, UNIVERSITY SYSTEM OF MARYLAND
Attn: Board Of Regents And Board Of Trustees
1101 Main Administration Bldg.
College Park, MD 20742

MARYLAND HIGHER EDUCATION COMMISSION
MD ATTORNEY GENERAL, CONSUMER
PROTECTION DIVISION
200 St. Paul St.
Baltimore, MD 21202

ASSOCIATE DIRECTOR OF CAREER AND
WORKFORCE EDUCATION, MARYLAND HIGHER
EDUCATION COMMISSION
6 N. Liberty Street, 10th Floor
Baltimore, MD 21201

OFFICE OF THE SECRETARY,
MARYLAND STATE DEPARTMENT OF
EDUCATION,
200 West Baltimore Street
Baltimore, MD 21201-2595

STATE OF MARYLAND
University Of Maryland College Park Office Of The
General Counsel
2117 Seneca Bldg.
College Park, MD 20742

UNIVERSITY OF MARYLAND-COLLEGE PARK,
Office Of Civil Rights & Sexual Misconduct,
3101 Susquehanna Hall
4200 Lehigh Rd.
College Park, MD 20742

UNIVERSITY OF MD-COLLEGE PARK
Ombudsman Officer, Hon. Mark A. Shayman
2117 Seneca Bldg.
College Park, MD 20742

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STATE OF MARYLAND
State Treasurer, Nancy Kopp
80 Calvert Street, Room 109
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DEPARTMENT OF BUDGET & MANAGEMENT,
CENTRAL COLLECTIONS UNIT
300 W. Preston Street

Baltimore, MD 21201

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U.S. DEPARTMENT OF EDUCATION, OFFICE FOR
CIVIL RIGHTS
400 Maryland Avenue, S.W.
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MIDDLE STATES COMMISSION ON HIGHER
EDUCATION
Attn: Hon. Dr. Heather Perfetti, President Elect 3524
Market Street, Suite 2 West,
Philadelphia, PA 19104

Defendants.

* * * * *

NOTICE OF REMOVAL

The State of Maryland Defendants, by their undersigned counsel, hereby gives notice, pursuant to 28 U.S.C. 1441 and 1446, of the removal of this action from the Circuit Court for Somerset County, Maryland to the United States District Court for the District of Maryland, Northern Division.

The State of Maryland Defendants include, and this Notice of Removal is filed on behalf of, the State of Maryland and the following Maryland State agencies and officers named in the caption of the Complaint:

STATE OF MARYLAND
Larry Hogan Governor

STATE OF MARYLAND

Maryland General Assembly/MD House Speaker – Hon. Adrienne A. Jones,
And All Other Members Known Or Unknown,

UNIVERSITY OF MD COLLEGE PARK, UNIVERSITY SYSTEM OF
MARYLAND

Hon. Wallace Loh, President and/or Successor Darryll J. Pines

UNIVERSITY OF MARYLAND-COLLEGE PARK, UNIVERSITY
SYSTEM OF MARYLAND

Attn: Board Of Regents And Board Of Trustees

MARYLAND HIGHER EDUCATION COMMISSION

MD ATTORNEY GENERAL, CONSUMER PROTECTION DIVISION

ASSOCIATE DIRECTOR OF CAREER AND WORKFORCE
EDUCATION, MARYLAND HIGHER EDUCATION COMMISSION

OFFICE OF THE SECRETARY,
MARYLAND STATE DEPARTMENT OF EDUCATION,

STATE OF MARYLAND

University Of Maryland College Park Office Of The General Counsel

UNIVERSITY OF MARYLAND-COLLEGE PARK,
Office Of Civil Rights & Sexual Misconduct,

UNIVERSITY OF MD-COLLEGE PARK

Ombudsman Officer, Hon. Mark A. Shayman

OFFICE OF THE PRESIDENT-UMES/MD HBCU Dr. Heidi M. Anderson,
President

STATE OF MARYLAND

State Treasurer, Nancy Kopp

DEPARTMENT OF BUDGET & MANAGEMENT, CENTRAL
COLLECTIONS UNIT

The grounds for removal are as follows:

1. Plaintiff filed a four (4) count Complaint (the “Complaint”) in the Circuit Court for Somerset County, Maryland on June 23, 2020. Copies of the Summons received by the State of Maryland Defendants are attached as Exhibit 1, the Complaint as Exhibit 2, and the Case Information Sheet as Exhibit 3.

2. Plaintiff asserts both federal and state law causes of action. In Count One, Plaintiff asserts federal claims arising under: the Civil Rights Act of 1866; the Civil Rights Act of 1964; the Age Discrimination Act of 1975; 42 U.S.C. § 1981; 42 U.S.C. § 1983; 42 U.S.C. § 1985; 42 U.S.C. § 1986; Title VI of the Civil Rights Act of 1964; Title IX of the Educational Amendments of 1972; and violations of the 5th, 8th, and 14th Amendments to the United States Constitution. *See* Complaint ¶¶ 1, 4. Count One also contains claims arising under state law. *See id.* In Counts Two through Four, Plaintiff asserts various state law causes of action.

2. Under 28 U.S.C. § 1331, “[t]he district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.” Therefore, this Court has original jurisdiction over the federal causes of action asserted in Count One. The Court has supplemental jurisdiction over the state law causes of action pursuant to 28 U.S.C. § 1367.

3. Because this Court has original jurisdiction under 28 U.S.C. §§ 1331, this action may be removed to this Court pursuant to 28 U.S.C. 1441(a).

4. Removal is timely under 28 U.S.C. §1446(b)(2). The State of Maryland Defendants were served, via service on the Attorney General of Maryland, on June 29, 2020. Therefore, the deadline for removal is July 29, 2020. *See* 28 U.S.C. § 1446(b)(1). Undersigned counsel is unaware of any of the other named defendants, including the individual defendants, having been served to date.

5. Pursuant to Local Rule 103.5, true and legible copies of all process, pleadings, documents and orders which have been served upon the Defendants are filed with this Notice of Removal. See Exhibits 1-3. Moreover, as no other pleadings have been filed in the Circuit Court for Somerset County, this Notice of Removal shall constitute certification, pursuant to Local Rule 103.5, that all papers filed with the Circuit Court for Somerset County have now been filed in this Court.

6. Defendant will promptly file a copy of this notice with the Clerk of the Circuit Court of Somerset County, as required by 28 U.S.C. §1446(d).

WHEREFORE, based on the foregoing, the State of Maryland Defendants respectfully request that this Court accept its Notice of Removal, and accept jurisdiction over and docket this action in this Court.

Respectfully submitted,

BRIAN E. FROSH
Attorney General of Maryland

/s/ Raymond R. Mulera

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July 29, 2020

Attorneys for the State of
Maryland Defendants

CERTIFICATE OF SERVICE

I certify that, on this 29th day of July, 2020 the foregoing was served by CM/ECF on all registered CMF users and by first-class mail on the following:

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ON HIGHER EDUCATION

/s/ Raymond R. Mulera

Raymond R. Mulera